

REMARKS

Claims 21-50 are pending.

The Office Action rejects claims 21-30 under 35 USC §101. This rejection is respectfully traversed.

The Office Action asserts that because the phrase “for maintaining a whois database” is not necessarily participating in any system, the claimed method steps are not in the “technological arts” and are deemed to be non-statutory. The present claims produce a useful, concrete and tangible result. For example, claim 20 produces the useful, concrete and tangible result of an updated domain name record within the whois database. Further, in In re Lundgren, appeal No. 2003-2008, an expanded panel of the Board of Patent Appeals and Interferences found that there is no judicially recognized “Technological Arts” test to determine patent eligible subject matter under §101. Accordingly, the rejection is improper and should be withdrawn

The Office Action rejects claims 21-50 under 35 USC §102(e) over Schneider (US Pat. 6,760,746). This rejection is respectfully traversed.

The claims of the application recite a method (or system) for maintaining a whois database, and include extracting a plurality of unique identifiers each corresponding to a modified or deleted domain name record within a registrar database, determining whether a first

domain name record that corresponds to the unique identifier exists within the registrar database, determining whether a second domain name record that corresponds to the unique identifier exists within the whois database, comparing the first domain name record to the second domain name record, and updating the second domain name record, within the whois database, based on the first domain name record. Thus, the claims require extracting a plurality of unique identifiers each corresponding to a modified or deleted domain name record, and then determining whether first and second respective domain name records exist within two databases, a registrar database and a whois database. The first and second domain name records are compared, and the second domain name record within the whois database is updated.

It is first noted that Schneider is not directed to updating modified or deleted domain name records within a whois database as required by the claims. Instead, Schneider is directed to name generation, registration and resolvability. Further details are set forth below.

Schneider does not disclose extracting a plurality of unique identifiers each corresponding to a modified or deleted domain name record within a registrar database. The Office Action refers to steps 610-630, Fig. 6a, and the autosearch processing of Fig. 7 as supposedly showing this feature. Steps 610-630 describe receiving search and registration identifiers, with a search request, determining whether the search request includes any domain names, generating domain names and their status, and retrieving the search result. See col. 28, lines 5-20. There is no disclosure of the claimed identifiers corresponding to a “modified or deleted domain name record.” That is because while the claimed invention updates the database

based on modified or deleted domain name records, and thus extracts the unique identifiers corresponding thereto, Schneider has nothing to do with updating a database based on “modified or deleted domain name records.” Instead, Schneider is generating, registering or resolving domain names. Fig. 7 of Schneider does not resolve these deficiencies.

Further, Schneider does not disclose comparing the first domain name record to the second domain name record as required by the claims. The Office Action refers to col. 13, lines 43-52 as allegedly showing this feature. However, the word “compare” does not appear in these lines, and Applicant is unaware of any comparison of first and second domain name records, one from a registrar database and one from a whois database, as required by the claims.

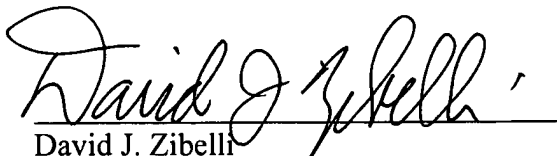
Accordingly, Schneider does not anticipate any of the claims of the application. Withdrawal of the rejection is requested.

In view of the above submitted amendments and remarks, it is respectfully submitted that all of the claims of the present application are allowable over the cited prior art. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any

matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,
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